

Meeting of the City Council

13 December 2017

Report title	Changes to the Constitution	
Referring body	Special Advisory Group, 24 November 2017	
Councillor to present report	Councillor Andrew Johnson	
Wards affected	All	
Cabinet Member with lead responsibility	Councillor Milkinder Jaspal Governance	
Accountable director	Kevin O'Keefe, Governance	
Originating service	Governance	
Accountable employee(s)	Colin Parr Tel Email	Head of Governance 01902 550105 Colin.Parr@wolverhampton.gov.uk
Report to be/has been considered by	Special Advisory Group	24 November 2017

Recommendations for decision:

The Council is recommended to:

1. Adopt the new format of the Council's Constitution.
 2. Adopt the changes to the current content as summarised in the Special Advisory Group report and detailed in Appendix 1 to that report subject to:
 - a. The proposed change to Part 4 – Financial Procedure Rules, to enable timely decisions in relation to new external funding received by the Council being amended by the inclusion of the words 'or Cabinet (Resources) Panel' between the words 'Cabinet' and 'and' to read as follows:

“Where all of the following apply, an overall increase or decrease in the Council's total budget may be approved Cabinet **or Cabinet (Resources) Panel** and not require the approval by Council.”
- and at the end of clause (iv) to read as follows:

- “(iv) The Section 151 Officer agrees that approval may be granted by Cabinet **or Cabinet (Resources) Panel.**”
- b. The proposed change to Part 4 - Contract Procedure Rules (Section 3.10) being amended to require the Cabinet Member for Governance to approve the engagement of agency staff above a day rate of £500 and for the Human Resources Business Partner to approve engagements with a day rate below £500; and

That quarterly report on the use of Agency Staff also be submitted to Cabinet (Resources) Panel for information.

3. Authorise the Director of Governance to implement the new format and the changes set out in Appendix 1 as now with immediate effect.
4. Notes that further amendments to the Constitution will be presented in May 2018.

1.0 Purpose

- 1.1 The purpose of this report is to recommend that Full Council agrees and adopts the revised Council's Constitution to ensure continuing lawfulness and effectiveness and that further amendments to the Constitution will be presented to Council in due course.

2.0 Background

- 2.1 On the 24 November 2017 Special Advisory Group agreed to recommend the report on Changes to the Constitution to Full Council for approval.

- 2.2 Copies of the report were circulated to Councillors and can also be accessed online on the Council's website. [Click here to access the report.](#)

Councillors are asked to refer to the report when considering the recommendations from the Special Advisory Group.

- 2.3 Special Advisory Group recommended that Council:

- 1 Adopts the new format of the Council's Constitution.
2. Adopts the changes to the current content as summarised in the report and detailed in Appendix 1 to the report subject to:

- a. The proposed change to Part 4 – Financial Procedure Rules, to enable timely decisions in relation to new external funding received by the Council being amended by the inclusion of the words 'or Cabinet (Resources) Panel' between the words 'Cabinet' and 'and' to read as follows:

"Where all of the following apply, an overall increase or decrease in the Council's total budget may be approved Cabinet **or Cabinet (Resources) Panel** and not require the approval by Council:"

and at the end of clause (iv) to read as follows:

- "(iv) The Section 151 Officer agrees that approval may be granted by Cabinet **or Cabinet (Resources) Panel.**"

- b. The proposed change to Part 4 - Contract Procedure Rules (Section 3.10) being amended to require the Cabinet Member for Governance to approve the engagement of agency staff above a day rate of £500 and for the Human Resources Business Partner to approve engagements with a day rate below £500; and

That quarterly report on the use of Agency Staff also be submitted to Cabinet (Resources) Panel for information.

3. Authorises the Director of Governance to implement the new format and the changes set out in Appendix 1, as now amended, with immediate effect.
4. Notes that further amendments to the Constitution will be presented in May 2018.

3.0 Financial implications

- 3.1 The financial implications are detailed in the Special Advisory Group report of 24 November 2017.

4.0 Legal implications

- 4.1 The legal implications are detailed in the Cabinet report of Special Advisory Group report of 24 November 2017.

5.0 Equalities implications

- 5.1 The equalities implications are detailed in the Special Advisory Group report of 24 November 2017.

6.0 Environmental implications

- 6.1 The environmental implications are detailed in the Special Advisory Group report of 24 November 2017.

7.0 Human resources implications

- 7.1 The human resources implications are detailed in the Special Advisory Group report of 24 November 2017.

8.0 Corporate Landlord implications

- 8.1 The Corporate Landlord implications are detailed in the Special Advisory Group report of 24 November 2017.

9.0 Schedule of background papers

Special Advisory Group report - 24 November 2017.